

**SUPREME COURT MINUTES
MONDAY, AUGUST 23, 1999
SAN FRANCISCO, CALIFORNIA**

S044043 People, Plaintiff and Respondent

v.

Frank Lee Soto, Defendant and Appellant

The judgment of the Court of Appeal is affirmed.

Baxter, J.

We Concur:

George, C.J.

Mosk, J.

Kennard, J.

Werdegar, J.

Chin, J.

Brown, J.

S068325 Barry Erlich et al., Plaintiffs and Respondents

v.

John Menezes, Defendant, Cross-complainant and Appellant

Ron Rebaldo et al., Cross-defendants and Respondents

The judgment of the Court of Appeal is reversed and the matter is
remanded for further proceedings consistent with this opinion.

Brown, J.

We Concur:

George, C.J.

Kennard, J.

Baxter, J.

Chin, J.

Concurring and Dissenting Opinion by Werdegar, J.

I Concur:

Mosk, J.

S070177 Thomas M. White, Plaintiff and Respondent
 v.
 Ultramar, Inc., Defendant and Appellant
 [W]e affirm the Court of Appeal judgment.

Chin, J.

We Concur:
George, C.J.
Kennard, J.
Baxter, J.
Werdegar, J.
Brown, J.

Concurring Opinion by Mosk, J.

I Concur:
Werdegar, J.

S074850 Hotel Employees & Restaurant Employees International Union,
Petitioner

v.

Gray Davis, as Governor, etc., et al., Respondents
Frank Lawrence, Real Party in Interest

Eric Cortez et al., Petitioners

v.

Gray Davis, as Governor, etc., Respondent
Frank Lawrence et al., Real Parties in Interest

[W]e conclude that Proposition 5, except for the final sentence of Government Code section 98005, is invalid because it is inconsistent with the anticasino provision of article IV, section 19, subdivision (e) of the California Constitution.

We therefore discharge the orders to show cause and direct issuance of a peremptory writ of mandate compelling the Governor and the Secretary of State not to implement Proposition 5, with the exception of the final sentence of Government Code section 98005.

Werdegar, J.

We Concur:

George, C.J.

Chin, J.

Brown, J.

Gilbert, J.*

Gaut, J.**

Dissenting Opinion by Kennard, J.

*Hon. Arthur Gilbert, Associate Justice, Court of Appeal, Second District, Division Four, assigned by the Chief Justice pursuant to article VI, section 6, of the California Constitution.

**Hon. Barton C. Gaut, Associate Justice, Court of Appeal, Fourth District, Division Two, assigned by the Chief Justice pursuant to article VI, section 6, of the California Constitution.

S005502 People, Respondent

v.

David Keith Rogers, Appellant

On the basis of counsel Alan W. Sparer's representation that he "plans to file the Reply at the end [of] the current three week extension which has been requested," it is ordered that the time to serve and file appellant's reply brief is extended to and including September 13, 1999.

No further extensions of time are contemplated.

S012852 People, Respondent

v.

Robert Edward Maury, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to and including October 22, 1999.

S014021 People, Respondent

v.

Dean Phillip Carter, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellants reply brief is extended to and including September 22, 1999.

S014497 People, Respondent

v.

Dennis Harold Lawley, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's reply brief is extended to and including October 19, 1999.

No further extensions of time will be granted.

S014664 People, Respondent

v.

Mario Lewis Gray, Appellant

The application of appellant for an extension of time to file appellant's opening brief is denied. The court will entertain an application for relief from default, showing good cause, submitted with the opening brief no later than August 30, 1999.

S059739 In re James Robert Scott
 on
 Habeas Corpus

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's traverse to the return to the order to show cause is extended to and including October 26, 1999.

No further extensions of time are contemplated.